

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 17 and 20 are currently being amended.

Claims 1, 9, 15 and 18 are requested to be cancelled without prejudice or disclaimer.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 2-8, 10-14, 16-17 and 19-24 are now pending in this application.

Summary of Claim Status:

Claims 2-8, 10-14, 16, 19 and 21-24 are allowed.

Claims 1, 9, 15 and 18 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,693,907 to Wesley et al. (hereinafter “Wesley”).

Claims 17 and 20 contain allowable subject matter but are objected to because of their dependency from rejected claims 15 and 18.

Discussion:

Applicant appreciates the allowance of claims 2-8, 10-14, 16, 19 and 21-24, and the Examiner’s indication of allowable subject matter in claims 17 and 20.

Applicant has rewritten claims 17 and 20 in independent form to include all the features of claims 15 and 18.

Applicant respectfully disagrees with the Examiner’s rejections of claims 1, 9, 15 and 18 under 35 U.S.C. § 102(e) over Wesley. However, in order to expedite prosecution of the

present application, Applicant has cancelled claims 1, 9, 15 and 18. The rejection of those claims is, therefore, moot.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date 30 October 2008

By /G. Peter Albert, Jr./

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6735
Facsimile: (858) 792-6773

G. Peter Albert Jr.
Attorney for Applicant
Registration No. 37,268